

REMARKS/ARGUMENTS

Applicant has reviewed and considered the references cited by the examiner in the subject office action, in particular, new reference Yavitch (U.S. 3,921,229), as well as other references in the file wrapper, particularly Stokes (U.S. 4,648,139). As a result, Applicant has amended independent claim 1 to distinguish Applicant's invention from those references.

More particularly, although the examiner correctly pointed out that Yavitch shows a raised bolt bracket 44, Yavitch still differs from Applicant's invention in that the bolt bracket is open on the bottom (see Figure 3), meaning that a toilet bolt head would not be supported and could fall through the bracket during installation. On the other hand, Applicant's invention as illustrated and disclosed, particularly in Figures 4 through 8, has a raised bolt-head bracket with a floor beneath the toilet bolt head to prevent the toilet bolt from falling through the flange. This distinction has been added to claim 1 by amendment at the end of the claim.

In an earlier telephone conference with the examiner concerning this application, the examiner also cited Stokes as having a floor or retainer and that when combined with Yavitch, would still render Applicant's invention obvious. Applicant has reviewed Stokes and notes that the bolt-head bracket in Stokes does not have an open outer end to allow the bolt-head to be slid into the open outer end and into the bracket. Rather, Stokes has an end wall 44 which would prevent the bolt from being

slid in from an outer end but rather must be dropped into the bracket, a more difficult operation when the toilet is already on the bracket.

On the other hand, Applicant's bolt-head bracket has a slot holder that has an outer open end so the bolt-head can be slid in as illustrated in the drawing figures 2, 4 and 8 accompanying Applicant's invention. Although this distinction may be implicit, Applicant has amended independent claim 1, lines 4 and 5 to emphasize this distinction.

After this amendment, Applicant believes that none of the prior references cited by the examiner, either alone or in combination, would render Applicant's invention non-novel or obvious. Nothing in the prior art allows lock bolts to be inserted, retained and locked like the present invention so that broken flanges can be repaired and/or replaced quickly and easily.

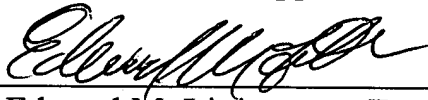
As the remaining claims in this application are all directly or indirectly dependent on independent claim 1, all remaining claims, that is claims 1-5 and 7 should now be allowable.

In view of the above amendments and remarks, Applicant believes the examiner will now find this patent application in a position for allowance and its expeditious passage to same is respectfully requested.

Applicant has enclosed with this Response and Amendment a prototype of his invention to assist the examiner when reviewing this matter.

Should the examiner have any questions or comments prior to passing this application to allowance, a call to the undersigned attorney of record is invited.

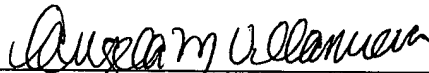
Respectfully submitted,
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I HEREBY CERTIFY that the above response and amendment with attachments noted therein are being deposited with the United States Postal Service by "Express Mail Post Office to Addressee" service, U.S. Express Mail No. ER 215504760 US, on the 30th day of December, 2003, addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Legal Assistant